

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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|----------------------------|---|---------------------------------------|
| IN RE: JOHNSON & JOHNSON   | : | Civil Action No. 3:16-md-2738-FLW-LHG |
| TALCUM POWDER PRODUCTS     | : |                                       |
| MARKETING, SALES PRACTICES | : |                                       |
| AND PRODUCTS LIABILITY     | : | MDL No. 2738                          |
| LITIGATION                 | : |                                       |
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**PROPOSED JOINT AGENDA AND REPORT  
FOR APRIL 5, 2018 STATUS CONFERENCE**

**I. STATUS OF DISCOVERY**

**A. OUTSTANDING DISCOVERY ISSUES**

**i. 30(b)(6) Depositions**

Plaintiffs have provided a revised 30(b)(6) deposition notice for all Defendants. Defendants are in the process of reviewing the notices and will get back to Plaintiffs as soon as possible. On March 29, 2018, the PSC requested a scheduling conference with Judge Pisano the week of April 9 to discuss a briefing schedule and process by which the 30(b)(6) issues could be resolved along with outstanding issues addressing Science-Related Third Party Witnesses, Privilege Challenges and Deposition Protocol could be addressed. (See Exhibit 1, PSC Letter to Hon. J. Pisano, March 29, 2018).

**ii. Third Party Witness Depositions**

At the March 6<sup>th</sup> Status Conference, the PSC requested leave to depose a limited number of science-related third parties that address four topics to be covered in the 30(b)(6) depositions. Tr.57:19-59:3 (March 6, 2018 status conf.) The PSC was directed to disclose the witnesses to the Defense and, if necessary address the issue with the Special Master.

On March 21, the PSC disclosed four witnesses: 1) The Colorado School of Mines (testing issues); 2) Crowell & Moring (law firm believed to be involved in drafting scientific literature, designing studies and influencing regulatory bodies); Joshua Muscat, MD (a medical and scientific author affiliated with the defendants); and 4) William Kelly (a lobbyist believed to have exerted influence on regulatory bodies and others related to the conduct and interpretation of science and medicine). Defendants object to these depositions and will be prepared to argue the issue to Judge Pisano.

### **iii. Privilege Challenges**

The Court acknowledged at the March 6<sup>th</sup> status conference the PSC's request that certain privilege issues be resolved before the commencement of the 30(b)(6) depositions. Tr. 4:25-5:24 (March 6, 2018 status conf.). On March 26<sup>th</sup> the PSC provided Defendants with their intended privilege challenges on science-related issues along with requests for a meet and confer. The parties have agreed that the PSC and J&J Defendants will speak on April 6<sup>th</sup> and that the PSC and Imerys will speak on April 10<sup>th</sup>. The parties remain hopeful that an agreed upon process for resolving privilege issues will be attained. However, in light of the numerous topics and documents involved, the PSC expects that the parties may need the guidance of the Special Master if they are to resolve these matters expeditiously.

### **iv. Deposition Protocol**

The PSC and the Defendants have met and conferred regarding the terms of the Deposition Protocol. While the majority of the issues have been reconciled there remain issues that will require the Special Master's assistance and guidance.

## **B. SAMPLES & TESTING**

### **i. Johnson & Johnson Defendants**

The parties have completed the division of samples identified by the Johnson & Johnson Defendants. One issue remains with respect to rocks identified by Plaintiffs. In searching for sample materials, Defendants located rocks of unknown origin. In the spirit of transparency and full disclosure, Defendants listed these rocks and other raw materials on the inventory of samples attached to the Court's January 31, 2018 Agreed Order and Stipulation Regarding the Johnson & Johnson Defendants' Production of Talcum Powder Products and Talc Samples (Dkt. No. 4032; the "Protocol"). It is Defendants' position that the rocks were expressly

excluded from the samples available for selection and division under the Protocol because, as the Protocol states, Defendants “cannot determine whether the rocks and raw materials have any connection to manufactured and marketed Talcum Powder Products.” *See* Protocol at 2 n.2. Moreover and importantly, the Protocol does not address the division of rocks; there is no discussion of how rocks would be split among the parties, and the provisions that address the division of “Samples” make no sense as applied to rocks.

Plaintiffs’ position is that the Samples Protocol does not exclude the rocks in question. *See* p.6, para. 1. The protocol contemplates the selection of samples from Exhibit A, the exhibit upon which the rocks are listed. Plaintiffs have not taken a position on whether splitting or specific testing of the rocks in question will be necessary. Plaintiffs assert, however, that they are entitled to inspect the rock samples taken from mines from which talc ore was supplied for Defendants’ talcum powder products.

The parties have met and conferred on this issue and cannot reach agreement. Therefore, the Johnson & Johnson Defendants requested a conference with Judge Pisano to address this issue on March 30, 2018. The PSC will provide a written response to Judge Pisano.

## **ii. Imerys**

On February 8, 2018, the Court entered the Agreed Order and Stipulation regarding production of Talc Samples from Imerys. Plaintiffs selected the samples they wish to test on March 12. Imerys agreed to that list of samples on March 26. The parties are conferring on a schedule to have the samples split at the lab per the protocol.

## **II. REQUEST FOR EXPERT REPORTS AND DAUBERT HEARING DATE**

The Court requested that the PSC provide “a preliminary expert report, not your final report that we have been talking about with samples, et cetera. I want a preliminary expert report that explains the science and opinion why asbestos [and nickel, chrome, and other carcinogens] used as it is in this case can cause ovarian cancer.” *See* 2/7/2018 Hearing Tr. at 36:22-37:2; 37:22-38:8. The PSC is to provide this report by April 9, 2018.

Defendants respectfully request that the Court set a date for the service of the reports of Plaintiffs' experts and the date for a *Daubert* hearing.

### **III. MOTIONS TO DISMISS AND NOTICES OF DISMISSAL WITHOUT PREJUDICE**

Per the Court's request, below is a list of pending motions to dismiss and stipulations of dismissal without prejudice that have been filed by Plaintiffs and which Defendants dispute. The parties have met and conferred and are working on a draft protocol to submit to the Court.

| <b>Case Name</b>  | <b>Docket No.</b> | <b>Motion/Notice</b>  |
|---|-------------------|---|
| <i>Monica Belcher v. Johnson &amp; Johnson, et al.</i>          | 3:17-cv-3452      | Plaintiffs' Motion to Dismiss filed October 31, 2017. Defendants' Opposition filed November 20, 2017. |
| <i>Barbara Newton v. Johnson &amp; Johnson, et al.</i>          | 3:17-cv-7409      | Plaintiffs' Motion to Dismiss filed October 31, 2017. Defendants' Opposition filed November 20, 2017. |
| <i>Anne Giles, et al. v. Johnson &amp; Johnson, et al.</i>      | 3:17-cv-1158      | Plaintiffs' Motion to Dismiss filed October 31, 2017. Defendants' Opposition filed November 20, 2017. |
| <i>Wendy Creamer-Zintel v. Johnson &amp; Johnson, et al.</i>    | 3:17-cv-7366      | Plaintiffs' Motion to Dismiss filed October 31, 2017. Defendants' Opposition filed November 20, 2017. |
| <i>Vicki Foster v. Johnson &amp; Johnson, et al.</i>            | 3:17-cv-1134      | Plaintiffs' Motion to Dismiss filed October 31, 2017. Defendants' Opposition filed November 20, 2017. |
| <i>Connie Hilabrand v. Johnson &amp; Johnson, et al.</i>        | 3:17-cv-1159      | Plaintiffs' Motion to Dismiss filed October 31, 2017. Defendants' Opposition filed November 20, 2017. |
| <i>Maria Velardo, et al. v. Johnson &amp; Johnson, et al.</i>   | 3:17-cv-1154      | Plaintiffs' Motion to Dismiss filed October 31, 2017. Defendants' Opposition filed November 20, 2017. |
| <i>Tasha Martin v. Johnson &amp; Johnson, et al.</i>            | 3:17-cv-7406      | Plaintiffs' Motion to Dismiss filed October 31, 2017. Defendants' Opposition filed November 20, 2017. |
| <i>Brenda Anderson, et al. v. Johnson &amp; Johnson, et al.</i> | 3:17-cv-2943      | Plaintiff's Motion for Voluntary Dismissal without prejudice filed                                    |

| <b>Case Name</b>  | <b>Docket No.</b> | <b>Motion/Notice</b>   |
|---|-------------------|--|
|   |                   | February 15, 2018. Defendants' opposition filed March 5, 2018.   |
| <i>Daniel Mitchell, et al. v. Johnson &amp; Johnson, et al.</i>   | 3:17-cv-10528     | Plaintiffs' Notice of Voluntary Dismissal filed March 23, 2018. Defendants' Letter objecting to dismissal filed March 23, 2018.  |
| <i>Cheryl Noel Adams, et al. v. Johnson &amp; Johnson, et al.</i> | 3:17-cv-9411      | Plaintiffs' Notice of Voluntary Dismissal Filed March 16, 2018. Defendants' Letter objecting to dismissal filed March 22, 2018.  |
| <i>Debbie Goldberg, et al. v. Johnson &amp; Johnson, et al.</i>   | 3:17-cv-11900     | Plaintiffs' Notice of Voluntary Dismissal filed February 9, 2018. Defendants' Letter objecting to dismissal filed February 9, 2018.                                    |
| <i>Bahmler, et al. v. Johnson &amp; Johnson, et al.</i>           | 3:17-cv-0800      | Plaintiffs' Notice of Voluntary Dismissal pertaining to Tracianne Hartnett filed December 7, 2017. Defendants' Letter objecting to dismissal filed December 8, 2017.   |
| <i>Brenda Anderson, et al. v. Johnson &amp; Johnson, et al.</i>   | 3:17-cv-2943      | Plaintiffs' Notice of Voluntary Dismissal pertaining to multiple plaintiffs filed November 6, 2017. Defendants' Letter objecting to dismissal filed November 15, 2017. |

#### **IV. STATUS OF CASES RE-FILED IN THE MDL PER CMO 8**

There are 99 cases where Plaintiffs who were previously part of a multi-plaintiff complaint have filed short form complaints in this MDL proceeding but have not complied with CMO 8 in either serving the short form complaint on Defendants or filing a notice of filing on the master docket. *See CMO 8, ¶¶ 1 and 5* (requiring plaintiffs to file short form complaints pursuant to CMO 2 and to serve these complaints pursuant to CMO 3); *see also CMO 3, ¶¶ 3 and 4* (requiring filing of an ECF notice if the original service of process was proper or requiring service of process where the original complaint was not properly served).

There are also 344 plaintiffs from multi-plaintiff cases pending in the MDL who have not filed Short Form Complaints pursuant to CMO 8. There are 103

plaintiffs from multi-plaintiff cases that were recently transferred into the MDL who have not yet filed Short Form Complaints.

## V. DUPLICATE FILED CASES

There are 67 plaintiffs in this MDL who have multiple cases pending. There are two primary scenarios where duplicate filing of cases occurred: (1) the case was filed in another federal district and transferred into the MDL, but prior to transfer, plaintiffs' counsel opened up another case directly in the MDL; or (2) two different firms have filed a case for the same plaintiff. The parties are continuing to work to address duplicate filed cases.

## VI. REPORT ON FEDERAL DOCKET

As of March 23, 2018:

- A. There are currently 5,945 cases pending in the MDL in which the Johnson & Johnson Defendants have been served or in which Plaintiffs from multi-plaintiff cases pending in the MDL have filed Short Form Complaints on individual dockets and have not served the Johnson & Johnson Defendants (and have opened case numbers), totaling 6,359 Plaintiffs (including 373 Plaintiffs in 35 multi-plaintiff cases removed from Missouri state court that have not filed Short Form Complaints on individual dockets, 22 Plaintiffs in Harders removed from Illinois state court that have not filed Short Form Complaints on individual dockets, 10 Plaintiffs in Lovato removed from New Mexico state court that have not filed Short Form Complaints on individual dockets, 1 Plaintiff in Robb removed from Oklahoma state court that have not filed Short Form Complaints on individual dockets, 16 plaintiffs from the Crenshaw case from the Middle District of Georgia that have not filed Short Form Complaints on individual dockets, and 25 plaintiffs from the Rodriguez case from the District of Puerto Rico).

Individual Plaintiffs in the multi-plaintiff cases are in the process of filing Short Form Complaints on individual dockets. Thus far, all of the individual Plaintiffs in the following multi-plaintiff cases have filed Short Form Complaints on individual dockets: *Karen Glenn, et al.* and *Mary Rea, et al.* (one *Rea* Plaintiff, Exia Monroe, a New Jersey resident, has re-filed in New Jersey state court). Additionally,

all of the individual Plaintiffs in the *Charmel Rice, et al.* and *Lillie Lewis, et al.* multi-plaintiff cases have filed Short Form Complaints on individual dockets, except individual Plaintiffs Charmel Rice and Lillie Lewis.

There are six Plaintiffs named as the lead Plaintiffs in multi-plaintiff cases who did not refile Short Form Complaints on individual dockets, but filed a Short Form Complaint in their corresponding multi-plaintiff case dockets. These include the lead Plaintiffs from four multi-plaintiff cases removed from Missouri state court (*Brenda Anderson, et al.*, *Lillie Lewis, et al.*, *Charmel Rice, et al.*, and *Jerie Rhode, et al.*), Marie Robb in the *Robb* case removed from Oklahoma State, and Deborah Crenshaw from the *Crenshaw* case originally filed in the Middle District of Georgia.

**B.** There are currently four multi-plaintiff cases removed from Missouri state court and pending in the Eastern District of Missouri, discussed below, that the JPML has not yet transferred into the MDL (totaling 288 plaintiffs). Motions to dismiss and motions to remand have been filed in these cases.

The four cases pending in the Eastern District of Missouri are listed below along with the judges to which they are assigned.

**Judge Ronnie L. White**

Darren Cartwright, et al. v. Johnson & Johnson, et al. Case No. 4:17-cv-02851-RLW

Sherron Gavin, et al. v. Johnson & Johnson, et al. Case No. 4:18-cv-00212-RLW

**Judge Audrey Fleissig**

Maureen Kassimali, et al. v. Johnson & Johnson, et al. Case No. 4:18-cv-00014-AGF

**Judge Jean C. Hamilton**

Amanda Reising, et al. v. Johnson & Johnson, et al. Case No. 4:18-cv-00380-JCH

C. There are a handful of other single-plaintiff cases that have been on CTOs and will be transferred in the near future to the MDL. These cases would not greatly affect the number of cases pending in the MDL absent the plaintiffs in the multi-plaintiff cases.

**VII. STATE COURT LITIGATION**

As of March 23, 2018:

**California:** There are approximately 339 cases involving 393 plaintiffs pending in the California coordinated proceeding, *Johnson & Johnson Talcum Powder Cases*, Judicial Council Coordinated Proceeding No. 4877. These cases are assigned to Judge Maren E. Nelson, Los Angeles Superior Court. To date, a *Sargon* hearing has been held, and one case—*Echeverria*—proceeded to trial. Prior to that trial, on July 10, 2017, the court granted Imerys' motion for summary judgment, dismissing all claims against Imerys. The *Echeverria* trial resulted in a plaintiff verdict against the Johnson & Johnson Defendants; however, on October 20, 2017, the Court granted the Johnson & Johnson Defendants' motions for judgment notwithstanding the verdict and, alternatively, for a new trial. Elisha Echeverria, Acting Trustee of the 2017 Eva Echeverria Trust, filed her Notice of Appeal on December 18, 2017. The Johnson & Johnson Defendants filed their Cross-Notice of Appeal on January 4, 2018. Appellants' Opening Brief is due May 16, 2018, and Respondents' and Cross-Appellants' Brief is due 60 days after the Appellant's Opening Brief is filed.

The next status conference will be held on May 3, 2018.

**Delaware:** There are currently 189 cases pending in the Superior Court of Delaware in which the Johnson & Johnson Defendants have been served. All of the Delaware cases have been consolidated before the Hon. Charles E. Butler. On January 19, 2017, the Johnson and Johnson Defendants filed a motion to dismiss for lack of personal jurisdiction. On January 31, 2017, Plaintiffs served jurisdictional discovery. On March 2, 2017, the Johnson and Johnson Defendants filed a motion for protective order to quash the jurisdictional discovery. Briefing on the motion for protective order was completed on April 17, 2017 and is awaiting an argument date.

Judge Butler ordered additional briefing from all parties on the *Bristol Myers* decision to be submitted by September 4, 2017. On December 21, 2017, Judge Butler issued an order requesting Plaintiffs respond to questions about jurisdictional discovery by January 31, 2018. Plaintiffs filed briefing in response to this request. On February 14, 2018, Judge Butler sent a letter to all counsel noting that jurisdictional discovery and personal jurisdiction are too intertwined to be treated separately and requesting Plaintiffs submit any supplemental briefing on personal jurisdiction by March 16, 2018. Judge Butler stated that he will only request a responsive brief from Johnson & Johnson if he feels Plaintiffs have raised a point requiring a response. On March 16, 2018, Plaintiffs submitted supplemental briefing on personal jurisdiction. Judge Butler has not requested anything further from Defendants on the personal jurisdiction issue.

**Missouri:** There are currently 15 cases, with a total of 701 plaintiffs pending in the 22nd Judicial Circuit Court, St. Louis (City) in which Defendants have been served.

Trial in the case of *Daniels v. Johnson & Johnson, et al.* resulted in a defense verdict on March 3, 2017 (individual claim filed in the multi-plaintiff *Valerie Swann* matter). Plaintiffs filed a motion for new trial on April 10, 2017, which is pending before the trial court.

Appeals are pending from judgments against Johnson & Johnson Defendants entered in favor of plaintiff in the *Gloria Ristesund* case. Appeals are also pending from judgments against the Johnson & Johnson Defendants and Imerys in the *Deborah Giannecchini* and *Lois Slemp* cases.

Trial in the case of *Michael Blaes on behalf of Shawn Blaes v. Johnson & Johnson, et al.* before Judge Rex Burlison is currently stayed and briefing on Defendants' petitions for writs of prohibition is pending before the Missouri Supreme Court on venue challenges. Oral argument took place on February 27, 2018. On March 2, 2018, the Missouri Supreme Court issued amended preliminary writs of prohibition ordering that Judge Burlison may proceed only with a determination of jurisdiction, but can take no other action until further order by the Missouri Supreme Court.

In the *Lois Slemp* case, that trial court found that plaintiffs had established personal jurisdiction exists in Missouri state court over the Johnson & Johnson defendants and Imerys. The *Slemp* case is on direct appeal to the Missouri Court of

Appeals. The Missouri Court of Appeals denied Johnson & Johnson's writ of prohibition in the *Slemp* case.

On October 17, 2017, the Missouri Court of Appeals, Eastern District, reversed and vacated the judgment in the *Jacqueline Fox* case for lack of personal jurisdiction. The Court also rejected Plaintiff's request to remand the case to the trial court to attempt to establish jurisdictional facts. On December 19, 2017, the Court denied Plaintiff's Motion for Rehearing. On March 6, 2018, the Missouri Supreme Court denied Plaintiff's requested review of the decision. On March 12, 2018, the Missouri Court of Appeals issued the mandate. On March 30, 2018, the trial court entered an order enforcing the mandate from the appellate court that the *Fox* judgment be reversed and vacated for lack of personal jurisdiction.

In the multi-plaintiff *Gail Lucille Ingham, et al. v. Johnson & Johnson, et al.* case, the trial court ordered the claims of all plaintiffs set for trial on June 4, 2018, without resolving pending personal jurisdiction and venue challenges. Defendants filed a writ with the Supreme Court of Missouri challenging the order of setting the claims of all plaintiffs for trial, which was denied. The case is set for trial on June 4, 2018.

Another multi-plaintiff trial is set to begin on September 14, 2018.

**New Jersey:** There are currently 397 cases pending before Judge Johnson in the Atlantic County Superior Court Multicounty Litigation, *In re: Talc-Based Powder Products Litigation*, Case No. 300. The cases are currently stayed for discovery purposes pending resolution of the plaintiffs' appeal of the ruling by Judge Johnson on the *Kemp* issues. On January 8, 2018, the New Jersey Appellate Division issued a *Sua Sponte* Order staying the appeals for six months or until the New Jersey Supreme Court decides the appeal pending in *In re: Accutane Litigation*, A-25-17, 079958, and *In re: Accutane Litigation*, A-26/27-17, 079933. Oral argument is scheduled in the Accutane Litigation for April 23, 2018.

**Florida:** There are fifteen cases pending in Florida state court. There are five cases pending in Broward County, Florida, including three cases before Judge Michael A. Robinson, one case before Judge David Haimes, and one case before Judge Sandra Periman. There are three cases pending in Miami-Dade County, Florida, including one case before Judge Rodolfo Ruiz, one case before Judge Dennis Murphy, and one case before Judge Barbara Areces. There are two cases pending in Hillsborough County, Florida before Judge Rex Barbas. There is one case pending in Osceola County, Florida before Judge Margaret Schreiber. There are two cases pending in Palm Beach County, Florida (one case before Judge

Thomas Barkdull and one case before Edward A. Garrison). There is one case pending in Volusia County, Florida before Judge Christopher France. There is one case in Orange County, Florida before Judge Jose R. Rodriguez.

In the *Ricketts* matter, pending in Broward County, Imerys' Motion to Dismiss for Lack of Personal Jurisdiction was denied on November 9, with the Court granting 30 days for Imerys to file an appeal. That appeal was filed on December 8, 2017.

**Georgia:** There is one case pending in state court in Fulton County, Georgia before Judge Jane Morrison. On January 10, 2018, the Court stayed all discovery in this case.

**Illinois:** There are two cases pending in Madison County, Illinois state court before Judge William Mudge, one case pending in Cook County, Illinois before Judge Daniel T. Gillespie, and one case pending in McLean County, Illinois before Judge Rebecca Foley.

**Pennsylvania:** There is one case pending in state court in Allegheny County, PA before Judge Robert Colville. On November 13, 2017, the Court granted Imerys' Preliminary Objections to personal jurisdiction in Pennsylvania and dismissed plaintiff's claims against Imerys in this case. There is one case pending in state court in Philadelphia County, PA before Judge Lisa Rau.

**Louisiana:** There are ten cases pending in Louisiana State Court. There are nine in the Parish of Orleans, Louisiana, including three cases before Judge Robin M. Giarrusso, two cases before Judge Clair Jupiter (docket being handled by former Judge Melvin Zeno while Judge Jupiter is on medical leave for three months), one case before Judge Paulette Irons, one case before Judge Kern Reese, one case before Judge Piper Griffin, and one case before Judge Ethel Julien. There is one case pending in East Baton Rouge Parish before Judge Janice Clark.

In the *McBride* matter, Imerys' Motion to Dismiss for Lack of Personal Jurisdiction was granted on December 1, 2017. On January 3, 2018, the Court denied the Plaintiff's motion for a new trial on this ruling.

## VIII. STATUS OF PENDING MOTIONS

- A. The list of motions pending in individual cases is attached hereto as Exhibit A.
- B. On July 14, 2017, the Court issued a dismissal of the *Estrada* Consumer Class case, finding that Estrada did not allege an injury in fact. ECF Nos. 50, 51. The Court dismissed and entered judgment in Estrada's lawsuit on August 10, 2017. ECF No. 53. Estrada has appealed this decision. No other motions are pending with regard to the Consumer Class cases.
- C. Case Management Order No. 10, which is the stipulation on amendment or refiling of cases against PCPC, was entered by the Court on February 22, 2018.

Respectfully submitted,

s/Susan M. Sharko  
Susan M. Sharko  
DRINKER BIDDLE & REATH LLP  
600 Campus Drive  
Florham Park, New Jersey 07932  
Telephone: 973-549-7000  
Facsimile: 973-360-9831  
Email: susan.sharko@dbr.com

s/Gene M. Williams  
Gene M. Williams  
SHOOK, HARDY & BACON L.L.P.  
JPMorgan Chase Tower  
600 Travis St., Suite 3400  
Houston, TX 77002  
Telephone: 713-227-8008  
Facsimile: 713-227-9508  
Email: gmwilliams@shb.com

s/John H. Beisner  
John H. Beisner  
SKADDEN, ARPS, SLATE,  
MEAGHER & FLOM LLP

1440 New York Avenue, N.W.  
Washington, D.C. 20005  
Telephone: 202-371-7000  
Facsimile: 202-661-8301  
Email: john.beisner@skadden.com

s/Lorna A. Dotro

Lorna A. Dotro  
COUGHLIN DUFFY LLP  
350 Mount Kemble Avenue  
Morristown, NJ 07962  
Telephone: 973-631-6016  
Facsimile: 973-267-6442  
Email: ldotro@coughlinduffy.com

s/Thomas T. Locke

Thomas T. Locke  
SEYFARTH SHAW LLP  
975 F. Street, NW  
Washington, DC 20004  
Telephone: 202 463-2400  
Email: tlocke@seyfarth.com

s/Michelle A. Parfitt

Michelle A. Parfitt  
ASHCRAFT & GEREL, LLP  
4900 Seminary Road, Suite 650  
Alexandria, VA 22311  
Telephone: 703-931-5500  
Email: mparfitt@ashcraftlaw.com

s/P. Leigh O'Dell

P. Leigh O'Dell  
BEASLEY, ALLEN, CROW,  
METHVIN, PORTIS & MILES, P.C.  
218 Commerce Street  
Montgomery, Alabama 36104  
Telephone: 334-269-2343  
Email: leigh.odell@beasleyallen.com

s/Christopher M. Placitella

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Christopher M. Placitella  
COHEN PLACITELLA ROTH, PC  
127 Maple Avenue  
Red Bank, NJ 07701  
Telephone: 888-219-3599  
Facsimile: 215-567-6019  
Email: cplacitella@cprlaw.com

**EXHIBIT A****STATUS OF PENDING MOTIONS IN INDIVIDUAL CASES**

| <b>Case Name</b>   | <b>Case No.</b> | <b>Status of Pending Motions</b>   |
|--|-----------------|--|
| <i>Paul Feldman, et al. v. Johnson &amp; Johnson, et al.</i>     | 3:17-cv-03163   | Plaintiffs' Motion to Remand filed May 18, 2017. Fully briefed.  |
| <i>Bernadine Moore v. Johnson &amp; Johnson, et al.</i>          | 3:17-cv-04034   | Plaintiffs' Motion to Remand filed June 28, 2017. Johnson & Johnson Defendants' Opposition filed July 28, 2017. Imerys' Opposition filed July 28, 2017.            |
| <i>Gavin v. Johnson &amp; Johnson, et al.</i>                    | 3:17-cv-05907   | Plaintiffs' Motion to Remand filed August 10, 2017. Fully briefed. Imerys' Motion to Dismiss filed 9/8/17. Fully briefed 10/10/17.                                 |
| <i>Edna Brown v. Johnson &amp; Johnson, et al.</i>               | 3:17-cv-05724   | Plaintiffs' Motion to Remand filed September 1, 2017. Fully briefed. Imerys' Motion to Dismiss filed 9/5/17. Plaintiff advises she will file opposition next week. |
| <i>Carolyn Bennett v. Johnson &amp; Johnson, et al.</i>          | 3:17-cv-05723   | Plaintiffs' Motion to Remand filed September 1, 2017. Fully briefed. Imerys' Motion to Dismiss filed 9/5/17. Plaintiff advises she will file opposition next week. |
| <i>Maureen Abbeduto, et al. v. Johnson &amp; Johnson, et al.</i> | 3:17-cv-05812   | Plaintiffs' Motion to Remand filed September 1, 2017. Fully briefed. Imerys' Motion to Dismiss filed 9/5/17. Plaintiff advises she will file opposition next week. |

| <b>Case Name</b>  | <b>Case No.</b> | <b>Status of Pending Motions</b>   |
|---|-----------------|--|
| <i>Kim Knight v. Johnson &amp; Johnson, et al.</i>              | 3:17-cv-05796   | Plaintiffs' Motion to Remand filed September 1, 2017. Fully briefed.<br><br>Imerys' Motion to Dismiss filed 9/5/17. Plaintiff advises she will file opposition next week.  |
| <i>Sharon McBee, et al. v. Johnson &amp; Johnson, et al.</i>    | 3:17-cv-5720    | Johnson & Johnson Defendants' Motion to Dismiss filed September 5, 2017. Motion to be terminated pursuant to CMO 8.<br><br>Imerys' Motion to Dismiss filed 9/5/17. Fully briefed 10/13/17. Motion to be terminated pursuant to CMO 8.  |
| <i>Donna McNichols, et al. v. Johnson &amp; Johnson, et al.</i> | 3:17-cv-5719    | Johnson & Johnson Defendants' Motion to Dismiss filed September 5, 2017. Motion to be terminated pursuant to CMO 8.<br><br>Imerys' Motion to Dismiss filed 9/5/17. Fully briefed 10/13/17. Motion to be terminated pursuant to CMO 8.  |
| <i>Sandra Lee, et al. v. Johnson &amp; Johnson, et al.</i>      | 3:17-cv-03548   | Plaintiffs' Motion to Remand filed September 25, 2017. Fully briefed.<br><br>Johnson & Johnson Defendants' Motion to Dismiss filed 10/24/2017. Plaintiffs' Opposition filed November 8, 2017.<br><br>Imerys' Motion to Dismiss filed 10/9/17. Plaintiffs advise they will file opposition next week. |
| <i>Ruth Carver v. Johnson &amp; Johnson, et al.</i>             | 3:17-cv-03549   | Plaintiffs' Motion to Remand filed September 25, 2017. Fully briefed.  |

| <b>Case Name</b>  | <b>Case No.</b> | <b>Status of Pending Motions</b>   |
|---|-----------------|--|
|   |                 | Johnson & Johnson Defendants' Motion to Dismiss filed 10/24/2017. Plaintiffs' Opposition filed November 8, 2017.<br><br>Imerys' Motion to Dismiss filed 10/9/17. Plaintiff advises she will file opposition next week. |
| <i>Monica Belcher v. Johnson &amp; Johnson, et al.</i>        | 3:17-cv-3452    | Plaintiffs' Motion to Dismiss filed October 31, 2017. Defendants' Opposition filed November 20, 2017.  |
| <i>Barbara Newton v. Johnson &amp; Johnson, et al.</i>        | 3:17-cv-7409    | Plaintiffs' Motion to Dismiss filed October 31, 2017. Defendants' Opposition filed November 20, 2017.  |
| <i>Anne Giles, et al. v. Johnson &amp; Johnson, et al.</i>    | 3:17-cv-1158    | Plaintiffs' Motion to Dismiss filed October 31, 2017. Defendants' Opposition filed November 20, 2017.  |
| <i>Wendy Creamer-Zintel v. Johnson &amp; Johnson, et al.</i>  | 3:17-cv-7366    | Plaintiffs' Motion to Dismiss filed October 31, 2017. Defendants' Opposition filed November 20, 2017.  |
| <i>Vicki Foster v. Johnson &amp; Johnson, et al.</i>          | 3:17-cv-1134    | Plaintiffs' Motion to Dismiss filed October 31, 2017. Defendants' Opposition filed November 20, 2017.  |
| <i>Connie Hilabrand v. Johnson &amp; Johnson, et al.</i>      | 3:17-cv-1159    | Plaintiffs' Motion to Dismiss filed October 31, 2017. Defendants' Opposition filed November 20, 2017.  |
| <i>Maria Velardo, et al. v. Johnson &amp; Johnson, et al.</i> | 3:17-cv-1154    | Plaintiffs' Motion to Dismiss filed October 31, 2017. Defendants' Opposition filed November 20, 2017.  |
| <i>Tasha Martin v. Johnson &amp; Johnson, et al.</i>          | 3:17-cv-7406    | Plaintiffs' Motion to Dismiss filed October 31, 2017. Defendants' Opposition filed November 20, 2017.  |
| <i>Rebecca Bowers v. Johnson &amp; Johnson, et al.</i>        | 3:17-cv-12308   | Plaintiffs' Motion to Remand filed December 4, 2017. Defendants' Opposition filed December 19, 2017.   |
| <i>Peck, et al. v. Johnson &amp; Johnson, et al.</i>          | 3:17-cv-12665   | Plaintiffs' Motion to Remand filed January 11, 2018. Defendants' Opposition filed January 22, 2018.  |

| <b>Case Name</b>   | <b>Case No.</b> | <b>Status of Pending Motions</b>   |
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| <i>Anderson, et al. v. Johnson &amp; Johnson, et al.</i>   | 3:17-cv-2943    | Plaintiff's Motion for Voluntary Dismissal without prejudice filed February 15, 2018. Defendants' opposition is due March 5, 2018. |
| <i>Chathapana, Davahn v. Johnson &amp; Johnson, et al.</i> | 3:17-cv-05853   | Imerys' Motion to Dismiss filed 9/5/17. No opposition filed. Motion to be terminated pursuant to CMO 8.                            |
| <i>Femminella, Joan v. Johnson &amp; Johnson, et al.</i>   | 3:17-cv-05860   | Imerys' Motion to Dismiss filed 9/5/17. No opposition filed. Motion to be terminated pursuant to CMO 8.                            |
| <i>Glenn, Karen v. Johnson &amp; Johnson, et al.</i>       | 3:17-cv-05071   | Imerys' Motion to Dismiss filed 8/21/17. No opposition filed. Motion to be terminated pursuant to CMO 8.                           |
| <i>Guptill, Mary v. Johnson &amp; Johnson, et al.</i>      | 3:17-cv-05869   | Imerys' Motion to Dismiss filed 9/5/17. No opposition filed. Motion to be terminated pursuant to CMO 8.                            |
| <i>Dawn Hannah v. Johnson &amp; Johnson, et al.</i>        | 3:18-cv-01422   | Plaintiff's Motion to Remand filed March 5, 2018. Defendants' Opposition due April 4, 2018.  |